

Andrew Gould (No. 013234)
Dallin B. Holt (No. 037419)
Brennan A.R. Bowen (No. 036639)
HOLTZMAN, VOGEL, BARAN,
TORCHINSKY & JOSEFIK
2555 East Camelback Road, Suite 700
Phoenix, Arizona 85016
(602) 388-1262
agould@holtzmanvogel.com
dholt@holtzmanvogel.com
bbowen@holtzmanvogel.com
minuteentries@holtzmanvogel.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Scot Mussi; Gina Swoboda, in her
capacity as Chair of the Republican Party
of Arizona; and Steven Gaynor,

Plaintiffs,

v.

Adrian Fontes, in his official capacity as
Arizona Secretary of State,

Defendant.

No. CV-24-01310-PHX-DWL

**CONSENT MOTION FOR
EXTENSION OF TIME FOR
PLAINTIFFS TO FILE FIRST
AMENDED COMPLAINT**

Plaintiffs, through counsel, hereby respectfully request a thirty-day extension of time to file a First Amended Complaint to January 17, 2025. The Secretary consents to this request for a thirty-day extension to file a First Amended Complaint.

The Court's Order dated December 5, 2024, held:

Plaintiffs may, within 14 days of the issuance of this order, file a First Amended Complaint ("FAC"). The FAC may include only changes from the complaint that are intended to remedy the deficiencies identified in this order. If Plaintiffs choose to file a FAC, they must also file, as an exhibit, a redlined version that indicates how the FAC differs from the complaint.

The 14-day deadline places the FAC due by December 19, 2024. In its Order, the Court

expressly did not foreclose the possibility that a different set of plaintiffs, raising a different set of factual allegations, might be able to establish standing in the NVRA voter-list maintenance context. *See id.* at 13. Plaintiffs intend to file an amended complaint. As part of this amendment process, Plaintiffs intend to add additional individuals, organizations, and associations as plaintiffs. Plaintiffs believe that in adding these additional parties, along with some additional revisions, the Court's concerns surrounding standing will be resolved. However, while Plaintiffs are making a diligent effort to file the FAC within the 14-day period provided by the Court, given the present holiday environment and associated schedules (including schedules associated with potential new plaintiffs), Plaintiffs will likely be unable to both engage with the new plaintiffs, and amend the complaint accordingly, by the present December 19, 2024, deadline. Additionally, a brief 30-day extension would also place any response required by the Secretary outside the traditional Christmas and New Year government holidays.

Therefore, Plaintiffs' request for a thirty-day extension is warranted considering undersigned counsel's other professional commitments and related holiday schedules—both those of counsel and present/future plaintiffs. This extension is requested in good faith and will not unduly delay or prejudice either party.

Respectfully submitted this 17th day of December 2024.

/s/ Andrew Gould
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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of December 2024, I caused the foregoing document to be electronically transmitted to the Clerk's Office using the CM/ECF System for Filing, which will send notice of such filing to all registered CM/ECF users.

/s/ Andrew Gould

Andrew Gould

Attorneys for Plaintiffs